

Defendant.

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FILED
Scott L. Poff, Clerk
United States District Court
By tblanchard at 10:14 am, Dec 28, 2017

Plaintiff has filed with this Court a “Motion to Amend and Add Parties,” apparently seeking to amend the parties’ Fed. R. Civ. P. 26(f) report filed with the Court earlier this month. Doc. 20. The motion, however, includes only: (1) a discovery request for “MIG logs,” medical records and workers’ compensation records, and video surveillance tapes; (2) disclosure of a settlement offer tendered to the defense in March; and (3) seven witnesses’ names. *Id.* It is unclear, therefore, just what Smith seeks to accomplish with her motion. The requested records are already included in the parties’ Rule 26(f) report (*see* doc. 18 at ¶ 9(a)), and Smith represented that she would be tendering a settlement offer to the defense “within a reasonable time” (*id.* ¶ 12). There is thus nothing to amend in the report itself. Further, to the extent she seeks to “add

parties” there are none actually listed. The request is moot.

If plaintiff seeks to add to her pending discovery requests or Rule 26 disclosures, however, she must do so pursuant to the Federal Rules of Civil Procedure -- meaning, any discovery requests are mailed to the party (or that party’s attorney) from whom she seeks that discovery. *See* Fed. R. Civ. P. 5(b) (describing procedure for service). Discovery requests are *not* filed with the Court. Fed. R. Civ. P. 5(d) (initial disclosures and discovery requests/responses are *not* filed until they are used for a motion or the court orders them to be filed).

In sum, Smith’s motion (doc. 20) is **DENIED**.

SO ORDERED, this 28th day of December, 2017.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA